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2826

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

James M. Derderian

**Serial No.:** 09/939,253

**Filed:** August 24, 2001

**For:** SEMICONDUCTOR DEVICES AND  
SEMICONDUCTOR DEVICE  
ASSEMBLIES INCLUDING A  
NONCONFLUENT SPACER LAYER  
(AMENDED)

**Confirmation No.:** 2189

**Examiner:** A. Williams

**Group Art Unit:** 2826

**Attorney Docket No.:** 2269-4830US

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

Signature

Deidra Pfeil

Name (Type/Print)

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a). The listed documents were cited by the Office in co-pending application Serial No. 10/225,973, filed on August 22, 2002, and directed to a related invention.

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicant herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

U.S. Patent Documents

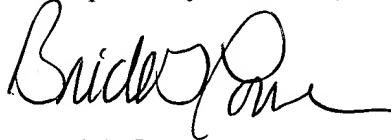
<u>U.S. Patent No.</u>	<u>Publication Date</u>	<u>Patentee</u>
US - 5,037,779	August 6, 1991	Whalley et al.
US - 5,056,215	October 15, 1991	Blanton
US - 6,097,097	August 1, 2000	Hirose
US - 6,534,345	March 18, 2003	Muff et al,
US - 2001/0013643 A1	August 16, 2001	Nakanishi et al.

Applicant offers to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

This Supplemental Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits. I hereby certify that no item of information contained in the Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the statement, and therefore no fee is due.

Serial No. 09/939,253

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brick G. Power", with a stylized flourish at the end.

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Date: January 23, 2004  
BGP/nj:dp

Enclosures: Form PTO-1449 or PTO/SB/08  
Copy of documents cited

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